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C O N F I D E N T I A L SECTION 01 OF 02 MANILA 005734

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SUBJECT: TESTIMONY OF FORMER ELECTORAL OFFICIAL BEFORE
PHILIPPINE CONGRESS LEAVES MANY QUESTIONS UNANSWERED

REF: A. MANILA 5482

[B](#). MANILA 5364

[C](#). MANILA 4140

[D](#). MANILA 2970

[E](#). MANILA 2777

Classified By: Acting Pol/C Joseph L. Novak for Reasons
1.4 (b) and (d)

[1](#). (C) Summary: Former Commission on Elections (COMELEC) official Virgilio Garcillano's House testimony on December 7 did not bring closure to the "Hello Garci" audiotape controversy involving President Arroyo. Garcillano refused to comment directly on the audiotapes, but firmly denied rigging votes in favor of Arroyo during last year's election. Garcillano lashed out at the Opposition, saying that whatever he did in talking to Arroyo during last year's election timeframe was similar to what he did with other politicians. Garcillano is due to attend more hearings shortly. The continued controversy highlights the need for serious electoral reform in the Philippines. End Summary.

"Garci" Testifies

[2](#). (U) During a nine-hour hearing (with some intermissions) before a five-committee panel at the House of Representatives on December 7, former COMELEC Commissioner Garcillano admitted talking to President Arroyo once during the 2004 presidential election but denied that their conversation had anything to do with the rigging of votes in Mindanao. (Note: Garcillano is the election official with whom President Arroyo spoke in a taped and subsequently leaked telephone conversation last year, leading to Opposition accusations of electoral fraud and calls for her resignation. Arroyo admitted the conversation was "improper." See refs A, B, D and E for background. End Note.) He challenged the authenticity of the tapes and demanded that the originals be produced for examination. Garcillano, however, refused to answer specific questions about the wiretapped conversations and confirm whether it was his voice on the tapes. Garcillano argued that he could not comment in detail because he has filed two petitions with the Supreme Court (one seeking to lift the warrant of arrest issued by Congress earlier this year for his failure to testify, and another questioning the admissibility of illegally-obtained audio recordings in Congressional hearings).

And Stirs the Pot by Naming Names

[3](#). (U) Pursuant to recent comments he has made to the press since emerging from hiding last month, Garcillano claimed that he also spoke in private meetings or by telephone with at least 37 legislators and others during the May 2004 election timeframe, including many Opposition notables. The names included senators (Juan Enrile, Jambay Madrigal, Panfilo Lacson, Alfredo Lim, Manuel Roxas, and Richard Gordon), as well as many incumbent congressmen, including Minority Leader Francis Escudero and his assistant Allan Cayetano. He also claimed to have spoken with Opposition vice-presidential candidate Loren Legarda. Some lawmakers quickly denied having met or talked with Garcillano, while others admitted having had "chance encounters" with him or discussing non-poll related issues. For example, Legarda vehemently denied having discussed electoral matters with Garcillano during the election.

Reactions

[4](#). (U) The Garcillano hearing received heavy media coverage and was carried live on broadcast television. Most press opinion, however, expressed disappointment that the hearing uncovered little solid new information and failed to bring closure to the controversy. Malacanang Executive Secretary Eduardo Ermita declined to comment and said that Arroyo will remain focused on "pressing national concerns." The Opposition, for its part, was on the defensive after Garcillano's refusal to implicate Arroyo in alleged electoral fraud and by his naming of names, including some of their own. Opposition figures harshly criticized his testimony and

accused him of delivering "a Malacanang-scripted exoneration" of Arroyo, just as some in the Opposition had claimed he would do prior to his appearance before the House (see ref A).

More Hearings

15. (U) Garcillano's hearing before the House will continue on December 13. He is also scheduled to testify on December 14 before the Senate Committee on National Defense. According to the latter Committee's Chairman, Senator Rodolfo Biazon, the Committee is investigating the alleged breach of national security involved in the wiretapping of the President's phone conversations.

Comment

16. (C) Garcillano's comments yesterday did not bring closure to the "Hello Garci" controversy but left it open-ended. Nonetheless, Malacanang clearly hopes that Garcillano's affirmation that Arroyo did not discuss rigging votes with him will ease attacks on her. Now that Garcillano has also accused other politicians of speaking with him during last year's election, the Opposition may find it harder to single out Arroyo on this point. That said, the Opposition will likely continue to accuse Malacanang of a cover-up, though most Filipinos seem tired of the political bickering. The controversy, however, highlights the urgent need for electoral reform in the Philippines in order to strengthen rule of law and good governance, and thus build up trust in the political system.

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